

L35

UNCLASSIFIED  
DUNCAN, OSTRANDER & DINGESS, P.C.  
Attorneys and Counselors at Law

RELEASED IN FULL

Robert R. Duncan  
Donald M. Ostrander  
John M. Dingess  
Austin Hamre

Lynn B. Obermyer - 2003  
Elizabeth D. Rubinstein

3600 S. Yosemite Street, Suite 500  
Denver, Colorado 80237-1829  
Telephone: (303) 779-0200  
Telefax: (303) 779-3662  
[dodpc@dodpc.com](mailto:dodpc@dodpc.com)  
[www.dodpc.com](http://www.dodpc.com)

Special Counsel  
James Birch  
T. Daniel Platt  
Paul C. Rufien, P.C.  
Robert E. Schween, P.C.  
Teri L. Pettit  
Stephanie J. Neitzel  
Patricia A. Madsen

October 30, 2007

FAX TO ELIZABETH ORLANDO, 202/647-5947  
E-MAIL [BETSYORLANDO@HOTMAIL.COM](mailto:BETSYORLANDO@HOTMAIL.COM),  
[ORLANDO.EA2@STATE.GOV](mailto:ORLANDO.EA2@STATE.GOV)  
HARD COPY TO FOLLOW

ELIZABETH ORLANDO, ESQ.  
United States Department of State  
Bureau of Oceans and International Environmental and Scientific Affairs, Room 2657A  
Washington DC 20520

RE: Keystone Oil Pipeline Project  
Applicant for Presidential Permit: TransCanada Keystone Pipeline  
Draft EIS

Dear Ms. Orlando:

Please be advised that we represent the City of Fargo, North Dakota, which believes that several major issues concerning drinking water supplies are not addressed in the present Draft Environmental Impact Statement issued August 10, 2007 for the Keystone Oil Pipeline Project. Thank you for your call yesterday, and for agreeing to do what you can to help the City.

Fargo only recently became aware of this project, and neither TransCanada nor the N. D. Department of Health appear to have been noticed or understood that the Sheyenne River, crossed by the proposed pipeline, is both a direct source of drinking water for Fargo from time to time, as well as a planned conduit of water from the Missouri River to the Red River. Both the Missouri and the Red Rivers are primary sources of drinking water in much of North Dakota.

While we understand that the period for formal comment expired 45 days after the Draft EIS issued, we are asking that you accept input from Fargo. The City's engineers advise that they will have a technical workup of the Fargo's concerns available in approximately three weeks. We would appreciate your advising us of the most efficient way to get Fargo's concerns to you.

Yours very truly,

  
P. A. Madsen

PM: hs  
cc: Pat Zavoral, Erik Johnson, Rick R. St. Germain, P.E.